

Acton Survey & Engineering, Inc.

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November 30, 2007

VIA: Facsimile 617-574-6880

Certified Mail 7004 2890 0004 6353 6584

Ms. Anne Hartley, Case Administrator
The Office of Appeals and Dispute Resolution
Department of Environmental Protection
One Winter Street
Boston, MA 02108

Re: Lots 2C & 3 Springhill Road, Acton
OADR Docket No. WET-2007-005
DEP File No. 85-971
6562

Dear Ms. Hartley:

This office represents Michael Jeanson & Jeanson Homes, Inc. pertaining to filings under the Wetlands Protection Act and the Acton Wetlands Bylaw. Our clients have elected not to engage a legal counsel to represent them in this matter, at this time.

We have received copies of your Scheduling Order and Mr. Applemans' Appeal of November 13, 2007. We note that the Appeal was not taken timely.

The copy of Mr. Applemans' Appeal was stamped as being received by the Acton Conservation Commission on November 21, 2007.

Our client did not, and has yet to, receive a copy of Mr. Applemans' Appeal as required by 310 CMR 10.05(7)(j).

Mr. Applemans is not an abutter to property subject to the Superseding Order of Conditions. His property is separated from the site by the property of others by a distance of 200 feet. As such, Mr. Applemans is not a person described by 310 CMR 10.05(7)(a).

On behalf of our clients we respectfully request that Mr. Applemans' Appeal be dismissed.

File 6562
11-30-07

Page 2 of 2

Our client desires that we receive copies of all documents related to this matter and be directly informed of all proceedings.

We will be representing our clients at the schedule Pre-Screening Conference on December 11, 2007

Thank you for any considerations given to this matter.

Very truly yours,
Mark T. Donohoe, PE

for:


Acton Survey & Engineering, Inc.

cc: Jeanson Homes, Inc.

Acton Conservation Commission 978-264-9630

Philip Nadeau, DEP CERO

MacDara Fallon, DEP OGC

John Applemans 7004 2890 0004 6353 6591

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